

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.5603 of 2021

E.S.Srikantan

... Petitioner

Vs.

1. The Tamil Nadu Electricity Board,
by its Chairman,
10th Floor, N.P.K.K.R. Maligai,
144, Anna Salai, Chennai 600 002.
2. The Superintending Engineer,
Madras Electricity Distribution Circle (S),
Electricity Avenue,
Near ESI Hospital,
K.K.Nagar, Chennai 600 078.
3. The Internal Audit Officer,
Audit Branch,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to consider the representation of the Petitioner, dated 16.01.2017 for revision of pension from 01.01.1990 based on the guidelines issued in B.P.No.62/July 2014 and pay the arrears.

For Petitioner : Mr.M.V.Venkataseshan

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to consider his representation, dated 16.01.2017 for revision of pension from 01.01.1990 based on the guidelines issued in B.P.No.62/July 2014 and pay arrears.

2. According to the Petitioner, he retired on superannuation as Special Grade Accounts Supervisor on 31.12.1989 and that, he is in his advanced age of 90 years. It is his case that, on account of non-implementation of B.P.No.62, a considerable amount of Rs.85,000/- and odd is locked up with the Respondents. In respect of his grievance, the Petitioner made a representation dated 16.01.2017 to the 3rd Respondent. As no reply is forthcoming, he has come up with the present Writ Petition.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, this Court directs the 3rd Respondent herein to consider the Petitioner's representation dated 16.01.2017 on merits and in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders on the same, within a period of ninety days from the date of receipt of a copy of this order.

5. Petitioner shall furnish his phone number, email ID, if any, etc., along with a copy of his representation and a copy of this order, to the 3rd Respondent forthwith. The 3rd Respondent is directed to communicate the decision taken on the said representation to the Petitioner herein within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that, there is no need for the parties to file contempt after expiry of the specified period. In case, the authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that he/she is not aware of the order of this Court.

With the above direction and observation, this Writ petition stands disposed of. No costs. Consequently, connected W.M.P.No.6220 of 2021 is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To:

1. The Chairman,
Tamil Nadu Electricity Board,
10th Floor, N.P.K.K.R. Maligai,
144, Anna Salai, Chennai 600 002.
2. The Superintending Engineer,
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3. The Internal Audit Officer,
Audit Branch,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai 600 002.

+1cc to Mr.M.V.Venkataseshan, Advocate SR.NO..15291

AKM/08.04.21/3P-5C/

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